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GOVERNMENT OF INDIA

MINISTRY OF LAW

New Delhi, the 24th August, 1949

The following Act of the Constituent Assembly has been authenticated by the President of the Constituent Assembly by his signature on the 21st August, 1949 and is hereby published for general information:—

CONSTITUENT ASSEMBLY ACT No. IV OF 1949

An Act further to amend the Government of India Act, 1935

23 Geo. 5, WHEREAS it is expedient further to amend the Govern-  
ment of India Act, 1935, for the purposes hereinafter  
2. appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the Government of India Short title  
(Third Amendment) Act, 1949. and common-  
cement.

(2) It shall come into force on the 25th day of August  
1949.

2. The Interpretation Act, 1889, applies for the inter-Interpre-  
pretation of this Act as it applies for the interpretation. tion.  
of an Act of Parliament.

3. In sub-section (1A) of section 8 of the Government Amendment  
of India Act, 1935 (hereinafter referred to as the said Act), of section 8  
after clause (b) the following clauses shall be inserted of the  
namely:— Government  
of India  
Act, 1935

“(bb) custody, management and disposal of property  
(including agricultural land) declared by law to  
be evacuee property;

(bbb) relief and rehabilitation of persons displaced  
from their original place of residence by reason  
of the setting up of the Dominions of India and  
Pakistan.”

4. For section 291 of the said Act, the following section Substitution  
shall be substituted, namely:— of new sec-  
tion for sec-  
tion 291.

“291. Power of the Governor-General to amend certain provisions of the Act and orders made thereunder.—

(1) The Governor-General may at any time by Order  
make such amendments as he considers necessary.

whether by way of addition, modification, or repeal, in the provisions of this Act or of any Order made thereunder in relation to any Provincial Legislature with respect to any of the following matters, that is to say—

- (a) the composition of the Chamber or Chambers of the Legislature;
  - (b) the delimitation of territorial constituencies for the purpose of elections under this Act;
  - (c) the qualifications entitling persons to vote in territorial or other constituencies at such elections, and the preparation of electoral rolls;
  - (d) the qualifications for being elected at such elections as a member of a legislative body;
  - (e) the filling of casual vacancies in any such body;
  - (f) the conduct of elections under this Act and the method of voting thereat;
  - (g) the expenses of candidates at such elections;
  - (h) corrupt practices and other offences at or in connection with such elections;
  - (i) the decision of doubts and disputes arising out of, or in connection with, such elections;
  - (j) matters ancillary to any such matter as aforesaid.
- (2) Every Order made under sub-section (1) of this section shall as soon as may be after it is made be laid before the Dominion Legislature."

5. In the Seventh Schedule to the said Act,—

**Amendment  
of the Seven-  
th Schedule.**

- (a) for paragraph 11 of the Provincial Legislative List the following paragraph shall be substituted, namely:—

"11. Elections to the Provincial Legislature subject to the provisions of this Act and of any Order made thereunder."

- (b) after paragraph 31A of the Concurrent Legislative List, the following paragraphs shall be inserted, namely:—

"31B. Custody, management and disposal of property (including agricultural lands) declared by law to be evacuee property.

31C. Relief and rehabilitation of persons displaced from their original place of residence by reason of the setting up of the Dominions of India and Pakistan."

K. V. K. SUNDARAM,  
*Secretary.*